

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Michael Danieli, on behalf of Plaintiff,

himself and those similarly
situated,

- against -

International Business Machines Defendant.

Corporation

08 cv 3688 (RWS)

MOTION TO ADMIT COUNSEL

PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Piper Hoffman a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Kenneth J. Sugarman
 Firm Name: Rudy, Exelrod & Zieff, LLP
 Address: 351 California Street, Suite 700
 City/State/Zip: San Francisco, CA 94104
 Phone Number: (415) 434-9800
 Fax Number: (415) 434-0513

Kenneth J. Sugarman is a member in good standing of the Bar of the States of California.

There are no pending disciplinary proceeding against Kenneth J. Sugarman in any State or Federal court.

Dated: June 5, 2008

City, State: New York, NY

Respectfully submitted,


 Sponsor's Piper Hoffman
 SDNY Bar PH 4990

Firm Name: Outten & Golden LLP
 Address: 3 Park Ave., 29th Floor
 City/State/Zip: New York, NY 10016
 Phone Number: (212) 245-1000
 Fax Number: (212) 977-4005

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Michael Danieli, on behalf of himself and
those similarly situated,

Plaintiff,

- against -
International Business Machines Corporation Defendant.

08 cv 3688 (RW§)

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Piper Hoffman attorney for Michael Danieli, on behalf of himself and those similarly situated,
and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name:	Kenneth J. Sugarman
Firm Name:	Rudy, Exelrod & Zieff, LLP
Address:	351 California Street, Suite 700
City/State/Zip:	San Francisco, CA 94104
Telephone/Fax:	(415) 434-9800
Email Address:	kjs@reqlaw.com

is admitted to practice pro hac vice as counsel for Michael Danieli, on behalf of himself and in the above
captioned case in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules governing
discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall
immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice
fee to the Clerk of Court.

Dated:
City, State:

United States District/Magistrate Judge



**THE STATE BAR
OF CALIFORNIA**

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

May 13, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, KENNETH JOHN SUGARMAN, #195059 was admitted to the practice of law in this state by the Supreme Court of California on May 26, 1998; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

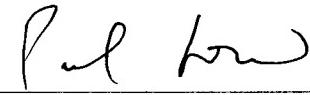
THE STATE BAR OF CALIFORNIA

A handwritten signature of Kath Lambert.
Kath Lambert
Custodian of Membership Records

CERTIFICATE OF SERVICE

I, Piel Lora, under penalties of perjury, certify the following as true and correct: I am not a party to this action; and I am over 18 years of age. On this 5 day of June 2008, I served by mail a true and correct copy of the following: (1) Motion to Admit Counsel *Pro Hac Vice*; (2) Affidavit of Piper Hoffman in Support of Motion to Admit Counsel *Pro Hac Vice*; and (3) Proposed Order to Admit Counsel *Pro Hac Vice* for Kenneth J. Sugarman, Esq. to the following attorneys of record for International Business Machines Corp., defendant in this action, whose last known address is:

Matthew W. Lampe, Esq.
Wendy C. Butler, Esq.
Jones Day
222 East 41st Street
New York, NY 10017


Piel Lora
Piel Lora

**UNITED STATES DISTRICT
SOUTHERN DISTRICT OF NEW YORK**

Michael Danieli, individually and on
behalf of others similarly situated,

Plaintiff,

08 cv 3688 (RWS)

- against -

International Business Machines Corporation Defendant.

State of New York)
) ss:
County of New York)

**AFFIDAVIT OF
PIPER HOFFMAN
IN SUPPORT OF KENNETH J. SUGARMAN
TO ADMIT COUNSEL
PRO HAC VICE**

- Piper Hoffman, being duly sworn, hereby deposes and says as follows:
1. I am a partner at Outten & Golden LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Kenneth J. Sugarman as counsel pro hac vice to represent Plaintiff in this matter.
 2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in New York on 2/26/03. I am also admitted to the bars of Massachusetts and D.C. and of the United States District Court for the Southern District of New York, and am in good standing in all of these bars.
 3. I have known Kenneth J. Sugarman for several years.
 4. Kenneth J. Sugarman is an associate at Rudy, Exelrod & Zieff, LLP in San Francisco, California.
 5. I have found Mr. Sugarman to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
 6. Accordingly, I am pleased to move the admission of Kenneth J. Sugarman, pro hac vice.
 7. I respectfully submit a proposed order granting the admission of Kenneth J. Sugarman, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Kenneth J. Sugarman, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: 06/05/2008

City, State: New York, NY

Notarized:

Respectfully submitted,

Name of Movant: Piper Hoffman

SDNY Bar Code: PH 4990